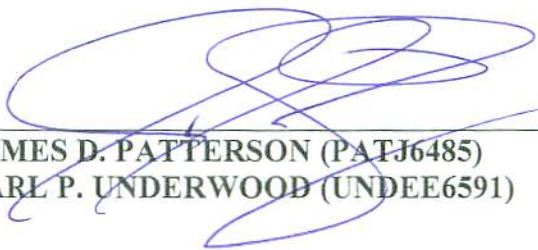




3. Plaintiff was unaware that at any time prior to the filing of his remand motion that the student loan accounts that were fraudulently opened in his name were reported to any credit reporting agency by Bank One.

4. Even though Plaintiff believes that the reporting by Bank One of the accounts at issue does not in any way convey federal question jurisdiction he would like an opportunity to file a brief response.

WHEREFORE, premises considered, plaintiff respectfully requests that the court to allow the plaintiff time to file a short reply brief to defendant's Motion in Opposition to Plaintiff's Motion to Remand.



---

JAMES D. PATTERSON (PATJ6485)  
EARL P. UNDERWOOD (UNDEE6591)

Law Offices of Earl P. Underwood, Jr.  
21 South Section Street  
Post Office Box 969  
Fairhope, AL 36533-0969  
251-990-5558 (telephone)  
251-990-0626 (fax)

CERTIFICATE OF SERVICE

I hereby certify that on July 15<sup>th</sup>, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

|                         |                                               |
|-------------------------|-----------------------------------------------|
| Leon Augustus Boyd, III | bboyd@cobb-shealy.com                         |
| Jimmy S. Calton, Jr.    | caltonlaw@eufaula.rr.com, jimcalton@yahoo.com |
| Herman Warren Cobb      | hwc@cobb-shealy.com, mhanchey@cobb-shealy.com |
| Helen Kathryn Downs     | hkdowns@jbpp.com, aap@jbpp.com                |
| William D. Jones, III   | wjones@jbpp.com                               |
| Lee M. Pope             | lmp@jbpp.com                                  |

  
James D. Patterson